

**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

Applicant:	)	I hereby certify that this paper and the
	)	documents are being submitted
<b>Marcus Braun</b>	)	electronically with the US Patent and
	)	Trademark Office on this date:
U.S. Serial No.: 10/815,395	)	
	)	<b>October 26, 2009</b>
For: SURGICAL INSTRUMENT	)	
	)	
Filed: April 1, 2004	)	
	)	<u><b>/Joseph T. Jasper/</b></u>
Group Art Unit: 3739	)	Joseph T. Jasper
	)	Registration No.: 50,833
Examiner: Michael F. Peffley	)	Attorney for Applicant

**INTERVIEW SUMMARY**

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The applicant would like to thank the Examiner Peffley for his time during the Interview today. The applicant agreed to cancel claim 17, which the Examiner will do via an Examiner's Amendment. It was agreed that claims 1-16, as detailed below, are allowable, and a Notice of Allowance will issue soon.

This listing of claims will replace all prior versions, and listings, of claims in the application:

**The Status of the Claims:**

1. A surgical instrument comprising:
  - an instrument handle having a front end and a rear end;
  - a tube shaft having a proximal end portion and a distal end portion, wherein the proximal end portion is linked to the rear end of the instrument handle; and
  - an instrument head, wherein the instrument head is linked to the distal end portion, so as to allow the instrument head to bend relative to the tube shaft, the instrument head further comprising a rotatably supported effector having at least one pivotable engaging element,
  - wherein the instrument handle includes a plurality of manipulators and/or operating mechanisms for operating the instrument head and/or the effector, wherein a first manipulator further comprises an operating element having the shape of a rotary knob and being rotatably supported at the front end of the instrument handle, and wherein the instrument handle is pivotally supported at the tube shaft via a pivot shaft, such that the instrument handle including the first manipulator are aligned so as to be laterally offset with respect to the tube shaft.
2. A surgical instrument according to claim 1, wherein the instrument handle forms an operating mechanism for bending the instrument head with respect to the tube shaft.

3. A surgical instrument according to claim 2, wherein the instrument handle is constructively pivotable past a parallel position with respect to the tube shaft.
4. A surgical instrument according to claim 1, wherein the first manipulator in the shape of a rotary knob is rotatably arranged at a distal end portion of a handle member of the instrument handle and wherein the first manipulator is inclined with respect to the longitudinal axis of the instrument handle.
5. A surgical instrument according to claim 4, wherein the inclination of the rotary knob relative to the instrument handle is at an angle of approximately 20° to 25°.
6. A surgical instrument according to claim 2, wherein the first manipulator in the shape of a rotary knob is rotatably arranged at a distal end portion of a handle member of the instrument handle and wherein the first manipulator is inclined with respect to the longitudinal axis of the instrument handle.
7. A surgical instrument according to claim 1, wherein the first manipulator forms the distal tip of the instrument handle.
8. A surgical instrument according to claim 7, wherein the first manipulator is adapted to be operated by the fingers of a human hand.

9. A surgical instrument according to claim 1, wherein the first manipulator is operatively connected, via a gear train, to the effector.
10. A surgical instrument according to claim 9, wherein rotation of the first manipulator rotates the gear train which rotates the effector relative to the instrument head.
11. A surgical instrument according to claim 1, wherein a lever-shaped manipulator is arranged at a longitudinal side of the instrument handle and is pivotable relative to the instrument handle and operatively connected, via a gear train, to the effector.
12. A surgical instrument according to claim 11, wherein the lever-shaped manipulator is adapted to operate the effector.
13. A surgical instrument according to claim 1, wherein the instrument handle has an ergonomically shaped handle member on which the manipulators and/or operating mechanisms of the instrument handle are supported.
14. A surgical instrument comprising:
  - an instrument handle having a front end and a rear end;
  - a tube shaft having a proximal end portion and a distal end portion, wherein the

proximal end portion is linked to the rear end of the instrument handle; and

an instrument head, wherein the instrument head is linked to the distal end portion, so as to allow the instrument head to bend relative to the tube shaft, the instrument head further comprising a rotatably supported effector having at least one pivotable engaging element,

wherein the instrument handle includes a plurality of manipulators and/or operating mechanisms for operating the instrument head and/or the effector, wherein a first manipulator configured to effect bending of the instrument head is formed between the front end of the instrument handle and the rear end of the instrument handle and further comprises a free end and a second manipulator further comprises an operating element having the shape of a rotary knob and being rotatably supported at the free end of the first manipulator of the instrument handle opposite to the linkage with the tube shaft, and wherein the instrument handle forms an operating mechanism for bending the instrument head with respect to the tube shaft.

15. A surgical instrument according to claim 1, wherein the first manipulator is adapted to be operated by the fingers of a human hand while the instrument handle is held fast in the hand.

16. A surgical instrument according to claim 1, wherein rotation of the instrument handle does not necessarily cause rotation of the first manipulator.

**U.S. App. Serial No. 10/815,395**  
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If there are any outstanding issues, the Examiner is requested to contact the undersigned at 312-580-1297.

Respectfully submitted,  
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**October 26, 2009**

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